Gregg M. Galardi, Esq. Douglas M. Foley (VSB No. 34364)
Ian S. Fredericks, Esq. Sarah B. Boehm (VSB No. 45201) SKADDEN, ARPS, SLATE, MEAGHER & MCGUIREWOODS LLP FLOM, LLP One Rodney Square PO Box 636 Wilmington, Delaware 19899-0636 (804) 775-1000 (302) 651-3000

One James Center 901 E. Cary Street Richmond, Virginia 23219

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606-7120 (312) 407-0700

Counsel to the Debtors and Debtors in Possession

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

- - - - - - - - - x In re: Chapter 11 CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH) et al., Debtors. : Jointly Administered - - - - - - - - - x

SECOND SUPPLEMENTAL ORDER ON DEBTORS' SIXTIETH OMNIBUS OBJECTION TO CLAIMS (DISALLOWANCE OF CERTAIN (I) NO LIABILITY (LEGAL CLAIMS); (II) NO LIABILITY (MISCELLANEOUS CLAIMS); AND (III) NO LIABILITY (SUBCONTRACTOR CLAIMS))

THIS MATTER having come before the Court on the Debtors' Sixtieth Omnibus Objection to Claims (Disallowance of Certain (I) No Liability (Legal Claims); (II) No Liability Miscellaneous Claims); and (III) No Liability (Subcontractor Claims)) (the "Objection"); and it appearing that due and proper notice and service of the Objection as set forth therein was good and sufficient and that no other further notice or service of the Objection need be given; and it further appearing that certain claimants filed responses to the Objection; and the Court having entered the Order on Debtors' Sixtieth Omnibus Objection (Docket No. 6368) (the "Initial Order"); and it appearing that the relief requested on the Objection is in the best interest of the Debtors, their estates and creditors and other parties-in-interest; and after due deliberation thereon good and sufficient cause exists for the granting of the relief as set forth herein,

## IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

- 1. Notwithstanding the Initial Order, the Claim identified on  $\underline{\text{Exhibit A}}$  as attached hereto and incorporated herein is reduced as set forth on  $\underline{\text{Exhibit A}}$  for all purposes in these bankruptcy cases.
- 2. Notwithstanding the Initial Order, the Objection is withdrawn without prejudice as to the claims identified on <a href="Exhibit B">Exhibit B</a> (as attached hereto and incorporated herein); <a href="provided">provided</a>, <a href="further">further</a>, that the Debtors' rights and abilities to object to the claims on <a href="Exhibit B">Exhibit B</a> on any available grounds and bases applicable law permits are hereby preserved in

their entirety and nothing herein shall be construed or deemed to limit or impair such rights and abilities.

- 3. The Debtors' rights to object to any claim, including (without limitation) the Claims, on any grounds that applicable law permits are not waived and are expressly reserved.
- 4. This Court shall retain jurisdiction with respect to all matters arising from or related to this Order.
- 5. The Debtors shall serve a copy of this Order on the claimants included on the exhibits to this Order on or before seven (7) days from the entry of this Order.

Dated: Richmond, Virginia \_\_\_\_\_, 2010

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP
One Rodney Square
PO Box 636
Wilmington, Delaware 19899-0636
(302) 651-3000

- and -

Chris L. Dickerson, Esq. SKADDEN, ARPS, SLATE, MEAGHER & FLOM, LLP 155 North Wacker Drive Chicago, Illinois 60606-1720 (312) 407-0700

- and -

/s/ Douglas M. Foley
Douglas M. Foley (VSB No. 34364)
Sarah B. Boehm (VSB No. 45201)
MCGUIREWOODS LLP
One James Center
901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000

Counsel to the Debtors and Debtors in Possession

## CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley
Douglas M. Foley

\15381240

Case No. 08-35653 (KRH)

Case 08-35653-KRH Doc 8285 Filed 08/16/10 Entered 08/16/10 11:10:42 Desc Main

Debtors' Sixtieth Omnibus Objection to Claims Second

Document Page 5 of 6

Supplemental Order On (Reduction Of Certain No Liability) Supplemental Order On (Reduction Of Certain No Liability Miscellaneous Claims) - Modified

## **EXHIBIT A**

CLAIM TO BE MODIFIED	CLAIM AS DOCKETED*						CLAIM AS MODIFIED					
Claim: 13035  Date Filed: 05/13/2009  Docketed Total: \$799.99  Filing Creditor Name and Address:  PATRICIA JOHNSON	Claim Holder N PATRICIA JOH 2680 BELL HUI DUNEDIN, FL	RST DR	Case Number: Docketed Total:			08-35653 <b>\$799.99</b>				Case Number: Modified Total:		08-35653 \$550.00
2680 BELL HURST DR DUNEDIN, FL 34698	503(b)(9)	Reclamation	Admin	<u>Secured</u>	<u>Priority</u>	Unsecured \$799.99	<u>503(b)(9)</u>	Reclamation	<u>Admin</u>	<u>Secured</u>	<u>Priority</u>	Unsecured \$550.00
							Total A	laims To Be M	cketed:	1 \$799.99 \$550.00		

<sup>&</sup>quot;UNL" denotes an unliquidated claim.

Case 08-35653-KRH Doc 8285 Filed 08/16/10 Entered 08/16/10 11:10:42 Desc Main In re: Circuit City Stores, Inc, et al. Document Page 6 of 6 Debtors' Sixtieth Omnibus Objection to Claims Second

Case No. 08-35653-KRH

Supplemental Order On (Disallowance Of Certain No Liability Miscellaneous Claims) - Withdrawn

## **EXHIBIT B**

CREDITOR'S NAME AND ADDRESS	CLAIM NUMBER			DATE FILED	DOCKETED DEBTOR
BRUCE SENATOR BRUCE SENATOR F 99302 CALIFORNIA MENS COLONY PO BOX 8103 SAN LUIS OBISPO, CA 93403-8103	13082	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation: Total:	\$150.00 \$150.00	05/29/2009	CIRCUIT CITY STORES, INC. (08-35653)
PUBLIC COMPANY ACCOUNTING OVERSIGHT BOARD ATTN NINA MOJIRI AZAD OR MARY PETERS 1666 K STREET NW BALTIMORE, MD 20006	14216	Secured: Priority: Administrative 503(b)(9): Unsecured: Reclamation:	\$4,700.00 \$4,700.00	07/01/2009	CIRCUIT CITY STORES, INC. (08-35653)

Total: 2 \$4,850.00